

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:02-CR-0303
	:	
v.	:	(Judge Conner)
	:	
SAVALAS J. POPE	:	

ORDER

AND NOW, this 1st day of December, 2005, upon consideration of defendant's motion (Doc. 37) to vacate the sentence imposed by this court on May 22, 2003, and it appearing that the period of limitations for filing such motions has expired, see 28 U.S.C. § 2255 ("A 1-year period of limitation shall apply to a motion under this section."); see also United States v. Bendolph, 409 F.3d 155, 164 (3d Cir. 2005) (providing that the court may raise § 2255 limitation period *sua sponte*), it is hereby ORDERED that defendant shall file a response, on or before December 30, 2005, showing cause why the motion should not be denied for failure to file within the applicable period of limitations.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge